

PT-5

Prepared: August 26, 1994, Updated April 2003, by the Pay & Hours Section

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EVACUATION OF U.S. CITIZEN EMPLOYEES FROM FOREIGN AREAS

NOTE: *This reference guide applies only to ordered or authorized departures from foreign areas. While many of the benefits and entitlements are the same, you should not rely on this guide to determine benefits for evacuations within the United States. Guidance on non-foreign evacuations is currently found in FPM Supplement 990-2, Book 550, Appendix A. New regulations are being prepared by OPM and will soon be published in 5 CFR 550, Subpart D.*

* This reference guide provides general information on the entitlements of U.S. citizen employees who are ordered or authorized to depart from foreign posts. In the case of an actual evacuation, the Pay Team will issue a *FAS Alert* to supplement this guide. The supplement will provide specific guidance on the designated safehaven, travel and transportation entitlements, and other information unique to the individual situation. This guide covers the situations employees are likely to encounter during an evacuation. If there is a situation not covered, call the pay team.

REFERENCES

- 5 U.S.C. 5521-5527
- Department of State Standardized Regulations (DSSR), Chapter 600
- Department of Defense Civilian Personnel Manual, 1400.25-M, Subchapter Chapter 1250

EVACUATION

The ordered or authorized departure of employees and/or their dependents from a foreign post due to hostilities, natural disasters, or other conditions that make it dangerous to remain at the post. The evacuation order may be either written or oral but must be issued by an authorized official. The authorized official is normally the Secretary of State or the Secretary of Defense. Subordinate commanders may be authorized by the Secretary of Defense to order or authorize departures.

SAFEHAVEN

A location or place officially designated to which an employee and/or dependents will be authorized or ordered to depart. The safehaven may be at another foreign post or in the United States.

Safehavens have been identified in advance, however, alternate safehavens will likely be identified in an actual evacuation. Different groups of employees/dependents may have separate safehavens. Be sure to check with the authorizing officials prior to advising employees.

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ENTITLEMENTS

When employees and/or their dependents are ordered or authorized to depart from a foreign post, these entitlements are authorized:

◆ **Evacuation Travel** (travel at government expense from the foreign post to the safehaven)

U.S. citizen or national employees and their dependents who have a transportation agreement.

Third country nationals (*to the extent determined by the Secretary of State*) **NOTE:** Third country nationals are not citizens of the U.S. or of the host country.

Locally-hired U.S. citizens are not eligible for evacuation travel or other benefits unless they are a dependent of an eligible military member or civilian employee.

When the U.S. is designated the safehaven, dependents may travel to any point in the U.S. even though the employee is required to travel to a specific location. Remember that travel to an alternate safehaven outside the U.S. is reimbursable on a constructed basis calculated from the foreign post to the U.S. duty location.

◆ **Travel Per Diem** (per diem from the date of departure to the date of arrival at the safehaven)

Per diem is determined by the rates for travel in the foreign area (JTR, Vol 2, Appendix A).

Per diem is paid to each family member (except that dependents under age 12 receive one-half the per diem rate).

◆ **Advance Payment** (a salary advance)

Evacuated employees may receive an advance on their salary, including post allowance, LQA, and post differential (*does not include danger pay*). The authorizing official determines the number of days for the advance, but it cannot exceed 30 days.

- *Full and part-time employees:* computed on the basis of regularly scheduled workdays.
- *Intermittent employees:* computed on the basis of the number of days the employee would be expected to work during the advance period.
- Payment is made to the employee or a designated representative (if possible, the payment should be made prior to leaving the post).

◆ **Continuation of Salary**

Regular salary continues during period of evacuation. The advance payment is not deducted from the employee's salary during the period of the evacuation. To the extent possible salary and allowances will be paid by direct deposit. In addition to the employee's salary, the following allowances and differentials are paid/terminated:

- *Employee remains at post - family departs:*
 - Post Allowance is reduced to the without family rate
 - LQA is continued at the with family rate for up to six months
 - Post Differential is continued
 - Danger Pay is continued
- *Employee and family depart:*
 - Post Allowance is terminated
 - LQA is terminated
 - Post Differential is terminated
 - Danger Pay is terminated

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◆ Subsistence Expense Allowance (SEA)

- For the first 15 days:

The CONUS per diem rate (\$66.00) for each family member regardless of age. No itemized accounting or receipts are required.

- Days 16 through 180:

A daily allowance (either commercial or non-commercial) is established. The allowance is based on a percentage of the CONUS per diem rate (*currently \$66.00*). The employee is always considered the "first evacuee" regardless of the order of evacuation. The spouse or other family member may be considered the first evacuee if the employee remains at post.

- Commercial rate (stays in hotel): First evacuee receives 60% (\$40.00) for lodging (receipts required) plus 40% (\$26.00) for all other expenses (non-accountable). Each additional family member receives 20% (\$14.00) per day (non-accountable).

- Non-Commercial rate (stays with family or friends): First evacuee receives 50% (\$33.00) and each family member receives 10% (\$7.00) (non-accountable).

- Foreign Area Safehaven: When a foreign area is officially designated as the safehaven, the SEA will be paid at the same percentages shown above but the per diem rate will be the rate for the safehaven area.

- Employees on leave (annual, sick, home, R&R, etc.) who are away from the post when the evacuation order is approved, should immediately notify post of intention to return to work so arrangements can be made to transport employee and dependents to safehaven. *No SEA payments may be made to an employee in a leave status.*
- Employees in a leave without pay status are not eligible for SEA unless they are evacuated as a dependent (*they receive allowances as a dependent, not as an employee*).

◆ Tandem Couples (Married employees each with a transportation agreement)

Each person receives SEA as the first evacuee.

◆ Lease Coverage

If an employee or designee signs a lease for temporary quarters at the safehaven and is ordered to return to post, a waiver of the refund due the Government on an advance or reimbursement of expenses incurred should be authorized for the unexpired period of the lease up to 30 days at a maximum of 60% of the per diem rate. **NOTE: Employees should not sign extended leases unless it is reasonable to do so depending on the circumstances surrounding the evacuation.**

◆ Education Allowance

This allowance is not authorized within DoD.

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◆ **Education Travel**

Educational travel eligibility continues except that the safehaven replaces the foreign post as the destination from school.

◆ **Separate Maintenance Allowance (SMA)**

Separate Maintenance Allowance payments continue so long as the family is separated. Dependents may not receive both SMA and SEA.

◆ **Employees and their Dependents Who Are Assigned to the Post, But Have Not Yet Arrived**

Generally, employees and their dependents who have not officially reported for duty at the foreign post are not eligible for evacuation payments. However, under limited circumstances outlined in Section 245 of the DSSR, employees who are within 30 days of reporting and have either vacated their home (or have a contractual obligation to vacate) may receive evacuation payments. It will be up to the authorizing official to determine whether the employee will remain at their old duty station or travel to the designated safehaven. If the dependents have not reported to the post, then they may receive involuntary SMA.

◆ **Household Goods**

Access to, delivery and return to storage of household goods in non-temporary storage is at the personal expense of the employee.

Shipment of household goods from the evacuated post is not authorized until the evacuation is determined to be permanent, the employee completes the tour, or the employee is released from the transportation agreement. (**NOTE:** *Household goods may not be shipped until the cessation of hostilities or the emergency has passed.*)

◆ **Privately Owned Vehicles (POV)**

Shipment of a POV is not authorized at government expense during an evacuation. Shipment of a POV is subject to the same restrictions as household goods. *Rental cars are not normally authorized at the safehaven.*

WORK ASSIGNMENTS FOR EVACUATED EMPLOYEES

Evacuated employees at safehaven posts may be assigned to perform any work considered necessary or required to be performed without regard to the grades or titles of the employees.

Failure to report for work or refusal to perform assigned work may be a basis for terminating further evacuation payments and may be the basis for disciplinary action.

TERMINATION OF EVACUATION / RETURN TO ASSIGNMENT

Evacuation benefits end when the employee is no longer officially assigned to the foreign post, when the evacuation is ended, or at the end of 180 days.